

SECOND REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 836

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUELLER.

Read 1st time January 17, 2000, and 1,000 copies ordered printed.

Read 2nd time January 27, 2000, and referred to the Committee on Insurance and Housing.

Reported from the Committee February 14, 2000, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 22, 2000. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

3799S.01P

AN ACT

To repeal section 355.661, RSMo 1994, relating to not-for-profit corporations, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 355.661, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 355.661, to read as follows:

355.661. 1. Except as authorized by [subsection 2 of this section and subsection 3] **subsections 2, 3 and 4** of this section, a corporation shall not make any distributions.

2. A mutual benefit corporation may purchase its memberships if after the purchase is completed:

(1) The corporation would be able to pay its debts as they become due in the usual course of its activities; and

(2) The corporation's total assets would at least equal the sum of its total liabilities.

3. Corporations may make distributions upon dissolution in conformity with sections 355.666 to 355.746.

4. Business entities established for the purpose of providing insurance pursuant to sections 537.620 and 537.635, RSMo, may make distributions in conformity with those sections.

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